UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Michael Bell,

  Petitioner,

v.

Duluth Prison Camp,

  Respondent.

Case No. 25-CV-909 (JMB/DTS)

REPORT AND RECOMMENDATION

In a letter dated March 12, 2025, the Clerk of Court directed petitioner Michael Bell to either pay the filing fee for this matter or apply for *in forma pauperis* (IFP) status within 15 days, failing which this matter could be dismissed without prejudice. *See* Docket No. 2. That deadline has now passed, and Bell has not paid the filing fee for this matter or submitted an IFP application. In fact, Bell has not communicated with the Court about this case at all since commencing this action. Accordingly, this Court now recommends, consistent with the warning previously given to Bell, that this action be dismissed without prejudice under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute. *Henderson v. Renaissance Grand Hotel*, 267 F. App'x 496, 497 (8th Cir. 2008) (per curiam) ("A district court has discretion to dismiss an action under Rule 41(b) for a plaintiff's failure to prosecute, or to comply with the Federal Rules of Civil Procedure or any court order.").

RECOMMENDATION

Based upon the foregoing, and on all of the files, records, and proceedings herein,

THE COURT HEREBY RECOMMENDS that this action be DISMISSED WITHOUT

PREJUDICE under Fed. R. Civ. P. 41(b) for failure to prosecute.

Dated: April 17, 2025   __s/ David T. Schultz____
                                         DAVID T. SCHULTZ
                                         United States Magistrate Judge

NOTICE

Filing Objections: This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), "a party may file and serve specific written objections to a magistrate judge's proposed finding and recommendations within 14 days after being served a copy" of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. *See* Local Rule 72.2(b)(2). All objections and responses must comply with the word or line limits set forth in Local Rule 72.2(c).